



Docket No.: KCC-15,750

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael John NIEMEYER, et al.

Serial No.: 10/025,214

Filing Date: 18 December 2001

Title: WRAPPED ABSORBENT STRUCTURE

Confirmation No. 4970

Customer No. 35844

Group No.: 1771

Examiner: E. Cole

APPEAL BRIEF UNDER 37 CFR 41.37

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Alexandria, VA 22313-1450

Dear Sir:

Applicants herewith file their Appeal Brief in the above-identified case, pursuant to their Notice of Appeal filed 12 April 2005.

1. REAL PARTY IN INTEREST

The real party in interest is Kimberly-Clark Worldwide, Inc., the assignee of the present application (as recorded at reel 012804, frame 0138).

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Michael J. Niemeyer
Signature

2. RELATED APPEALS AND INTERFERENCES

Applicants are not aware of any related appeals or interferences with regard to the present application.

3. STATUS OF CLAIMS

Claims 1-6, 8-25, 27-40, and 42-48 are pending in the application. The present Appeal is directed to Claims 1-6, 8-25, 27-40, and 42-48, which were finally rejected in an Office Action mailed 18 January 2005.

4. STATUS OF AMENDMENTS

No amendment to the claims was filed subsequent to the most recent final rejection.

5. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention is directed to an absorbent structure 20 that includes an absorbent core 22 and an absorbent wrap 24 fully surrounding the absorbent core and overlapping at least a portion of the absorbent wrap. (Figs. 1-5; Page 10, lines 13-20). The absorbent core 22 may include a mixture of superabsorbent material and meltblown fibers. (Page 12, lines 4-5).

The absorbent wrap 24 includes at least 5% binder material mixed throughout a fibrous absorbent material such that the absorbent fibers are stabilized by the binder material. (Page 14, lines 7-9; Page 25, lines 6-7). The absorbent wrap 24 may provide at least 20% of a total absorbent capacity of the absorbent structure 20. (Page 11, lines 8-9). The absorbent structure 20 may have an absorbent wrap 24 to inner core 22 absorbency ratio of at least 0.2. (Page 11, lines 11-12).

The present invention is also directed to an absorbent swimwear garment 40 including the absorbent structure 20. More particularly, the absorbent swimwear garment 40 includes a chassis 42 defining a waist opening 64 and first and second leg openings 66, the chassis 42 including a body side liner 62, an outer cover 60, and the absorbent structure 20 between the body side liner 62 and the outer cover 60. (Figs. 6 and 7; Page 20, lines 7-21).

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1) Claims 1, 3-6, 8, 10-11, 16, 19-21, 23, 24-25, 27, 29, and 30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Putzier (U.S. Patent No. 5,262,218) in view of Great Britain Patent No. 1,231,648 (hereinafter "GB '648").

2) Claims 1-14 and 16-33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Everett et al. (PCT Publication No. WO 99/17695) in view of Great Britain Patent No. 1,231,648 (hereinafter "GB '648").

3) Claims 15, 34, and 35-48 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Everett et al. (PCT Publication No. WO 99/17695) in view of Great Britain Patent No. 1,231,648 (hereinafter "GB '648") as applied to Claims 1-14 and 16-33 above, and further in view of Rosch et al. (U.S. Patent No. 6,009,558).

7. ARGUMENT

I. Claims 1, 3-6, 8, 10-11, 16, 19-21, 23, 24-25, 27, 29, and 30 are non-obvious under 35 U.S.C. 103(a) based on the teachings of Putzier in view of GB '648.

In the final Office Action, mailed 18 January 2005, the Examiner rejected Claims 1, 3-6, 8, 10-11, 16, 19-21, 23, 24-25, 27, 29, and 30 under 35 U.S.C. 103(a) as being unpatentable over *Putzier* in view of *GB '648*.

Independent Claims 1 and 16 require an absorbent structure including an absorbent core and an absorbent wrap. The absorbent wrap must include at least 5% by weight of a binder material *mixed throughout* a fibrous absorbent material.

Furthermore, the absorbent wrap must provide at least 20% of a total absorbent capacity of the absorbent structure (Claim 1) or an absorbent wrap to inner core absorbency ratio of at least 0.2 (Claim 16). In other words, the absorbent wrap must possess functional absorbent properties, and must significantly contribute to the overall absorbency of the absorbent structure.

Claims 1 and 16 further require that the absorbent wrap fully surrounds the absorbent core and at least partially overlaps itself.

Putzier discloses an absorbent material that is decomposable under biological conditions. The absorbent material includes a wrapper (1) made of a formed fabric of organic polymer material, an intermediate tissue layer (2) of an organic polymer, an absorbing body

(3) composed of chemical pulp and an absorbent, and a binder stabilizing the wrapper (Abstract). Thus, the binder is not described as an integral element of the wrapper, but instead is listed as an independent element.

Contrary to the Examiner's assertion in the final Office Action, mailed 18 January 2005, Putzier does not state or imply that the binder is applied to the *entire* wrapper. Instead, Putzier merely states that the binder stabilizes the wrapper in such a way that the material of the absorbing body cannot escape. More particularly, Putzier describes the relationship between the binder and the wrapper as follows:

In another preferred embodiment of the invention, the wrapper or coverstock (1) is arranged in such a way that the absorbent material is completely enclosed. By means of a suitable binder this structure is stabilized in such a way that the material of the absorbing body, i.e., the "fluff" (cellulose) and/or the absorbent for aqueous liquids, cannot escape. (Col. 5, lines 11-17).

Thus, it appears that Putzier merely discloses the use of a binder to secure the wrapper in place around the absorbing body to create an *overall stabilized absorbent structure*. In contrast, Applicants' description of stabilization refers to the *stability of the wrapper per se*, such that the binder material is mixed throughout the fibrous absorbent material, thereby creating a stabilized wrapper.

A mixture of the binder material throughout the absorbent material, as in Applicants' invention, balances the absorbent properties and the mechanical integrity of a wrapper. In contrast, a wrapper having all of the binder material concentrated along a seam, as in Putzier, would probably form a fairly strong binder network that would have good mechanical integrity, at least along the seam for the depth of the binder in the wrap, but such a concentrated binder configuration would likely lead to poor absorbency properties, particularly poor liquid intake in the presence of the binder. More particularly, the binder concentration of Putzier would likely create barrier properties on the surface of the wrap along the seam secured with the binder.

There is no suggestion or motivation in Putzier to mix the binder material throughout the wrapper because the sole purpose of the binder material in Putzier is to secure the wrapper around the absorbing body (3). Consequently, Putzier requires a very minor amount of binder material. Also, there is a separate tissue layer (2) within the absorbent material that serves the purpose of maintaining the absorbing body in place and distributing the liquid to be absorbed. Absent impermissible hindsight, it is unlikely that a person skilled

in the art would consider mixing binder material throughout a fibrous absorbent material to form a wrapper, based upon the teachings of Putzier, in lieu of the combination of the wrapper, the tissue layer, and the binder material applied along a seam of the wrapper.

The Examiner suggests that since the wrapper in Putzier comprises both fibrous absorbent material and a binder material, the wrapper would inherently comprise a mixture of the two. However, as explained above, Putzier fails to disclose or suggest any balance between the fibrous absorbent material and the binder material, and provides no motivation to balance these materials within the wrapper in view of Putzier's use of the binder to stabilize the overall absorbent structure, not just the wrapper.

Putzier further discloses that the absorbent body accounts for 80-90% by weight of the absorbent material in the entire structure (Col. 3, lines 53-55). The absorbent body includes chemical pulp ("fluff") and a material having higher absorbency, in a weight ratio of 9:1 to 14:1 (Col. 3, lines 55-58). The material having higher absorbency may be a superabsorbent material (Col. 4, lines 14-44).

The intermediate tissue layer is suitably formed of cellulose or modified cellulose (i.e., "fluff") and accounts for 3-6% by weight of the absorbent structure (Col. 5, lines 51-59). This material has some absorbent properties. However, the disclosed intermediate layer does not surround the absorbent core, and does not overlap itself (Fig. 2). As shown in Fig. 2 of Putzier, the wrapper (1) is the only layer which may surround the absorbent core and overlap itself. Thus, the intermediate tissue layer would not constitute an absorbent wrap, as recited in Applicants' claims.

The disclosed wrapper is made of a nonwoven material of plant origin, such as cotton or rayon, and constitutes 5-8% by weight of the absorbent structure (Col. 4, line 59 – Col. 5, line 10). The wrapper material does not possess significant absorbent properties. To the contrary, as noted above at Col. 5, lines 11-13, the wrapper is intended to be "arranged in such a way that the **absorbent material** is completely enclosed" (emphasis added).

In summary, the wrapper disclosed in Putzier constitutes, at most, 8% by weight of the absorbent structure. Even if the wrapper were formed of the same material as the intermediate layer and the absorbent core, the wrapper would account for not more than 8% of the absorbency of the entire structure.

However, Putzier discloses that the wrapper (made of cotton or rayon) is not made of the same material as the intermediate layer (made of cellulose fluff), or the absorbent

core (made of a mixture of cellulose fluff and a more absorbent material). The absorbent core layer, which constitutes 80-90% by weight of the structure, is made of the highest absorbing material combination. The intermediate layer, which constitutes 3-6% by weight of the structure, is made of the second highest absorbing material. The wrapper, which constitutes 5-8% by weight of the structure, is made of the least absorbing material.

Accordingly, the disclosed wrapper would account for substantially less than 8% of the absorbency of the entire structure, or substantially less than half of the minimum required by Claims 1 and 16.

The Examiner attempts to explain these substantial differences by alleging that “it would have been obvious . . . at the time the invention was made to have selected the thickness and relative proportions of the components in order to arrive at a material having the desired absorbency through the process of routine experimentation” (10 August 2004 Office Action, p. 3). However, the fact that the invention may have been within the capabilities of persons skilled in the art is not sufficient to establish *prima-facie* obviousness. MPEP 2143.01; Ex Parte Levengood, 28 USPQ2d 1300 (P.T.O.B.A. 1993); In Re Kotzab, 217 F.3d 1365, 55 USPQ2d 1300 (Fed.Cir. 2000).

The Examiner must point to a motivation for persons skilled in the art to design a wrapper layer having substantially greater absorbency relative to the entire structure, than what the prior art discloses. The Putzier reference provides no such motivation. Instead, the Putzier reference focuses on the use of biodegradable wrapper materials, without regard to their absorbency.

The secondary reference to Celanese Corp. (GB ‘648) is cited for the use of a binder, and does not overcome the deficiencies in the Putzier disclosure. GB ‘648 does not disclose a wrapper having the relative levels of absorbency recited in Claims 1 and 16, and does not motivate persons skilled in the art to achieve such absorbency in a wrapper. The combined references do not disclose or suggest Applicants’ invention.

In the final Office Action mailed 18 January 2005, the Examiner points out that both Putzier and GB ‘648 are drawn to forming absorbent articles that are biodegradable.

GB ‘648 discloses a single-layer absorbent material and fails to disclose or suggest any sort of wrap material. Instead, GB ‘648 discloses that non-irritating binders may be applied to biodegradable fibers that are incorporated into absorbent articles such as diapers in order to enhance the strength of the flushable absorbent articles. Thus, the material of GB

'648 is intended for use as a flushable absorbent core. There is no suggestion in GB '648 to use the absorbent material in any capacity other than as an absorbent core.

The reason that the absorbent material in GB '648 requires strengthening is that the absorbent material is primarily composed of biodegradable fibers that lack the strength of conventional fibers under wet conditions. Since GB '648 fails to disclose or suggest a tissue layer or wrap material, GB '648 also fails to disclose or suggest strengthening a tissue layer or any other wrapper-type component. Consequently, there is no suggestion or motivation to strengthen the wrapper material of Putzier, and thus, no suggestion or motivation to combine the teachings of Putzier and GB '648.

To establish a *prima facie* case of obviousness, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on Applicants' disclosure. Because the binder material in GB '648 is specifically intended to strengthen core material, there is no suggestion or motivation to apply the binder material of GB '648 to the wrapper material in Putzier. Even if these references were combined, there is no reason that a person skilled in the art would consider using a binder material to reinforce the wrapper material of Putzier based on the teachings of GB '648. Instead, the logical combination of the teachings of these references would result in mixing a binder with the fibers of the absorbent core in Putzier and to *eliminate* the wrapper entirely, since the binder in GB '648 obviates the need for a wrapper. Thus, the combined references do not disclose or suggest Applicants' claimed invention.

For at least the reasons presented above, Applicants respectfully request the Board to overturn this rejection.

II. Claims 1-14 and 16-33 are non-obvious under 35 U.S.C. 103(a) based on the teachings of *Everett et al.* in view of GB '648.

In the final Office Action, mailed 18 January 2005, the Examiner rejected Claims 1-14 and 16-33 under 35 U.S.C. 103(a) as being unpatentable over *Everett et al.* in view of GB '648.

Independent Claims 1 and 16 require an absorbent structure including an absorbent core and an absorbent wrap. The absorbent wrap must include at least 5% by weight of a binder material *mixed throughout* a fibrous absorbent material, and must provide

at least 20% of a total absorbent capacity of the absorbent structure (Claim 1) or an absorbent wrap to inner core absorbency ratio of at least 0.2 (Claim 16).

Everett et al. disclose an absorbent article including an absorbent core having multiple absorbent layers (Abstract). The absorbent core includes superabsorbent material in varying concentrations, different layers (p. 6, line 27 – p. 7, line 8). The balance of the absorbent core is typically composed of wood pulp fibers, alone or in combination with other hydrophilic fibers (p. 20, line 27 – p. 21, line 24). The combination of hydrophilic fibers and superabsorbent has a basis weight of about 400-900 gsm (p. 23, lines 5-9).

A wrap sheet 28 may be wrapped around one or more absorbent layers (See Figs. 1A and 1B). While no basis weight is provided for the wrap sheet, it is apparent from the drawings that the wrap sheet is very thin relative to the absorbent core layers. The wrap sheet 28 may be composed of an absorbent material, such as a tissue of hardwood and softwood fibers (p. 24, lines 9-13). However, the wrap sheet does not contain any superabsorbent material. Instead, the purpose of the wrap sheet is to confine the superabsorbent material in the absorbent core (p. 23, lines 26-30). Furthermore, as pointed out by the Examiner, Everett et al. fail to disclose or suggest a wrap sheet that includes a binder material, much less a binder material that is mixed throughout a fibrous absorbent material.

Based on the relative thinness of the wrap sheet, the relative thickness of the absorbent core, the absence of superabsorbent in the wrap sheet and the presence of superabsorbent in the core, one can safely conclude that Everett et al. do not disclose or suggest an absorbent structure wherein an absorbent wrapper contributes at least 20% of an overall absorbent capacity as required by Claim 1, or provide an absorbent wrap to inner core absorbency ratio of at least 0.2, as required by Claim 16. To assume the contrary would require a level of speculation extending far beyond the disclosure of Everett et al. Furthermore, Everett et al. provide no motivation to make an absorbent structure having a wrapper that meets these limitations. To the contrary, Everett et al. teach that it is desirable to minimize the thickness of the overall absorbent structure (p. 12, line 27 – p. 13, line 17). This can best be accomplished by adjusting the superabsorbent concentration in the core layer to provide increased absorbency, not by increasing the thickness of the less absorbent wrapper material.

The secondary reference, GB '648, is cited for the use of a binder, and does not overcome the gaps in the Everett et al. disclosure. GB '648 discloses a single-layer absorbent material and fails to disclose a wrapper having the relative levels of absorbency recited in Claims 1 and 16. Furthermore, GB '648 fails to disclose or suggest any sort of wrap material. The Examiner states that the absorbent materials in GB '648 are, in fact, tissue because a tissue is essentially fibers held together with a binder. Nevertheless, GB '648 does not disclose or suggest the use of these absorbent materials as wrap materials, or as materials sufficiently thin for wrapping about another material, but instead discloses this combination of fibers and binder as an absorbent core type material.

The Examiner suggests that it would have been obvious to have employed a binder as taught by GB '648 with the wrapper of Everett et al. The Examiner further suggests that a motivation for combining the binder of GB '648 with the wrapper of Everett et al. is that the binder would enhance the strength of the tissue which is wrapped around the absorbent core of Everett et al. However, it is unlikely that a person skilled in the art would be motivated to modify the composition of a wrap material in one reference based on the composition of an absorbent core material in another reference, particularly when there is no suggestion that the materials in the respective wrap materials and absorbent core materials are interchangeable.

Furthermore, the reason that the absorbent material in GB '648 requires strengthening is that the absorbent material is primarily composed of biodegradable fibers that lack the strength of conventional fibers under wet conditions. There is no suggestion in Everett et al. to form a wrapper of biodegradable fibers. Consequently, there is no suggestion or motivation to strengthen the wrapper material of Everett et al., and thus, no suggestion or motivation to combine the teachings of Everett et al. and GB '648.

Because the binder material in GB '648 is specifically intended to strengthen biodegradable fibers, and because the wrapper material in Everett et al. does not include biodegradable fibers, there is no suggestion or motivation to apply the binder material of GB '648 to the wrapper material in Everett et al. Even if these references were combined, there is no reason that a person skilled in the art would consider using a binder material to reinforce the wrapper material of Everett et al. based on the teachings of GB '648. Instead, the logical combination of the teachings of these references would result in mixing a binder with the fibers of the absorbent core in Everett et al. and to *eliminate* the wrapper entirely, since the

binder in GB '648 obviates the need for a wrapper. Thus, the combined references do not disclose or suggest Applicants' claimed invention.

For at least the reasons presented above, Applicants respectfully request the Board to overturn this rejection.

III. Claims 15, 34, and 35-48 are non-obvious under 35 U.S.C. 103(a) based on the teachings of *Everett et al.* in view of GB '648 and further in view of *Rosch et al.*

In the final Office Action, mailed 18 January 2005, the Examiner rejected Claims 15, 34, and 35-48 under 35 U.S.C. 103(a) as being unpatentable over *Everett et al.* in view of GB '648 as applied to Claims 1-14 and 16-33 above, and further in view of *Rosch et al.* The differences between Applicants' claimed invention and the combination of *Everett et al.* and GB '648 have been fully explained above, and need not be repeated.

Rosch et al. disclose absorbent swimwear garments. The Examiner suggests that it would have been obvious to have incorporated an absorbent core as taught by *Everett et al.* into the swimwear of *Rosch et al.*, motivated by the excellent liquid absorbent and holding properties of the absorbent core of *Everett et al.* However, as explained above, because the binder material in GB '648 is specifically intended to strengthen biodegradable fibers of an absorbent core, and because the wrapper material in *Everett et al.* does not include biodegradable fibers, there is no suggestion or motivation to apply the binder material of GB '648 to the wrapper material in *Everett et al.* Thus, even if the absorbent core of *Everett et al.* were incorporated into the swimwear of *Rosch et al.*, the absorbent core would lack binder material in the wrapper because there is no suggestion or motivation to apply the binder material of GB '649 to the wrapper material in *Everett et al.* Consequently, the combined references do not disclose or suggest Applicants' claimed invention.

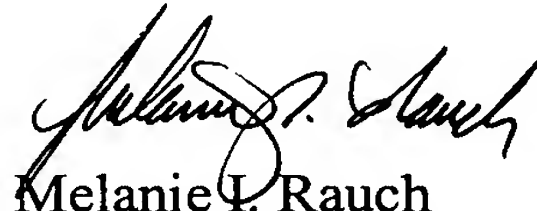
For at least the reasons presented above, Applicants respectfully request the Board to overturn this rejection.

8. CONCLUSION

For the above reasons, Applicants respectfully submit that the rejections posed by the Examiner are improper as a matter of law and fact. Accordingly, Applicants respectfully request the Board reverse the rejection of Claims 1-6, 8-25, 27-40, and 42-48.

A check for the fee required by 37 CFR 41.37(a)(2) and 37 CFR 41.20(b)(2), updated pursuant to the Fiscal Year 2005 Fee Schedule, in the amount of \$500.00, is attached hereto. Please charge any additional amount owed, or credit any overpayment, to Deposit Account 19-3550.

Respectfully submitted,



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CLAIMS APPENDIX

1. An absorbent structure, comprising:
an absorbent core; and
an absorbent wrap including at least 5% binder material mixed throughout a fibrous absorbent material such that the absorbent fibers are stabilized by the binder material, the absorbent wrap fully surrounding the absorbent core and overlapping at least a portion of the absorbent wrap, the absorbent wrap providing at least 20% of a total absorbent capacity of the absorbent structure.
2. The absorbent structure of Claim 1, wherein the absorbent core comprises an air-formed absorbent material.
3. The absorbent structure of Claim 1, wherein the absorbent core comprises an absorbent material selected from the group consisting of air-formed pulp fluff; a mixture of pulp fluff and superabsorbent; a mixture of pulp fluff and a polymer; a mixture of pulp fluff and hot melt spray adhesive; a mixture of pulp fluff and thermoplastic binder fibers; a mixture of pulp fluff, superabsorbent and binder fibers; coform; and combinations thereof.
4. The absorbent structure of Claim 1, wherein the absorbent core comprises between 0% and about 10% by weight binder material.
5. The absorbent structure of Claim 1, wherein the absorbent core comprises between 0% and about 15% by weight superabsorbent material.
6. The absorbent structure of Claim 5, wherein the superabsorbent material is selected from the group consisting of particulates, fibers, films, foams, non-ionic superabsorbents, polyacrylate superabsorbents, and combinations thereof.

8. The absorbent structure of Claim 1, wherein the binder material is selected from the group consisting of meltblown polymer, thermoplastic binder fibers, liquid-sprayable binding agents, and combinations thereof.
9. The absorbent structure of Claim 1, wherein the absorbent wrap comprises a coform material of a pulp and a meltblown polymer mixture.
10. The absorbent structure of Claim 1, wherein the absorbent wrap provides at least 25% of a total absorbent capacity of the absorbent structure.
11. The absorbent structure of Claim 1, wherein the absorbent wrap provides at least 30% of a total absorbent capacity of the absorbent structure.
12. The absorbent structure of Claim 1, wherein the absorbent core is zoned for greater absorbent capacity within a central portion of the absorbent core and lower absorbent capacity within end regions of the absorbent core.
13. The absorbent structure of Claim 1, wherein the absorbent core is segmented within the absorbent wrap.
14. The absorbent structure of Claim 1, wherein the absorbent structure is embossed.
15. Swimwear comprising the absorbent structure of Claim 1.

16. An absorbent structure, comprising:

an absorbent core including a mixture of superabsorbent material and meltblown fibers; and

an absorbent wrap including at least 5% binder material mixed throughout a fibrous absorbent material such that the absorbent fibers are stabilized by the binder material, the absorbent wrap fully surrounding the absorbent core and overlapping at least a portion of the absorbent wrap;

the absorbent structure having an absorbent wrap to inner core absorbency ratio of at least 0.2.

17. The absorbent structure of Claim 16, wherein the mixture of superabsorbent material and meltblown fibers comprises a coform material.

18. The absorbent structure of Claim 16, wherein the meltblown fibers comprise an elastomeric material.

19. The absorbent structure of Claim 16, wherein the absorbent core further comprises pulp fluff.

20. The absorbent structure of Claim 19, wherein the absorbent core comprises between about 30% and about 55% pulp fluff, by weight of the absorbent core.

21. The absorbent structure of Claim 19, wherein the absorbent core comprises between about 35% and about 50% pulp fluff, by weight of the absorbent core.

22. The absorbent structure of Claim 16, wherein the absorbent core further comprises a surfactant.

23. The absorbent structure of Claim 16, wherein the absorbent core comprises between 0% and about 10% by weight binder material.

24. The absorbent structure of Claim 16, wherein the absorbent core comprises up to about 15% by weight superabsorbent material.

25. The absorbent structure of Claim 16, wherein the superabsorbent material is selected from the group consisting of particulates, fibers, films, foams, non-ionic superabsorbents, polyacrylate superabsorbents, and combinations thereof.

27. The absorbent structure of Claim 16, wherein the binder material is selected from the group consisting of meltblown polymer, thermoplastic binder fibers, liquid-sprayable binding agents, and combinations thereof.

28. The absorbent structure of Claim 16, wherein the absorbent wrap comprises a coform material of a pulp and a meltblown polymer mixture.

29. The absorbent structure of Claim 16, comprising an absorbent wrap to inner core absorbency ratio of at least 0.3.

30. The absorbent structure of Claim 16, comprising an absorbent wrap to inner core absorbency ratio of at least 0.4.

31. The absorbent structure of Claim 16, wherein the absorbent core is zoned for greater absorbent capacity within a central portion of the absorbent core and lower absorbent capacity within end regions of the absorbent core.

32. The absorbent structure of Claim 16, wherein the absorbent core is segmented within the absorbent wrap.

33. The absorbent structure of Claim 16, wherein the absorbent structure is embossed.

34. Swimwear comprising the absorbent structure of Claim 16.

35. An absorbent swimwear garment, comprising:

a chassis defining a waist opening and first and second leg openings, the chassis including a body side liner, an outer cover, and an absorbent structure between the body side liner and the outer cover;

the absorbent structure including an absorbent core and an absorbent wrap, the absorbent wrap surrounding the absorbent core and overlapping at least a portion of the absorbent wrap, the absorbent wrap including at least 5% binder material mixed throughout a fibrous absorbent material such that the absorbent fibers are stabilized by the binder material, and the absorbent wrap providing at least 20% of a total absorbent capacity of the absorbent structure.

36. The garment of Claim 35, wherein the absorbent core comprises an air-formed absorbent material.

37. The garment of Claim 35, wherein the absorbent core comprises an absorbent material selected from the group consisting of air-formed pulp fluff; a mixture of pulp fluff and superabsorbent; a mixture of pulp fluff and a polymer; a mixture of pulp fluff and hot melt spray adhesive; a mixture of pulp fluff and thermoplastic binder fibers; a mixture of pulp fluff, superabsorbent and binder fibers; coform; and combinations thereof.

38. The garment of Claim 35, wherein the absorbent core comprises between 0% and about 10% by weight binder material.

39. The garment of Claim 35, wherein the absorbent core comprises between 0% and about 15% by weight superabsorbent material.

40. The garment of Claim 35, wherein the superabsorbent material is selected from the group consisting of particulates, fibers, films, foams, non-ionic superabsorbents, polyacrylate superabsorbents, and combinations thereof.

42. The garment of Claim 41, wherein the binder material is selected from the group consisting of meltblown polymer, thermoplastic binder fibers, liquid-sprayable binding agents, and combinations thereof.
43. The garment of Claim 35, wherein the absorbent wrap comprises a coform material of a pulp and a meltblown polymer mixture.
44. The garment of Claim 35, wherein the absorbent wrap provides at least 25% of a total absorbent capacity of the absorbent structure.
45. The garment of Claim 35, wherein the absorbent wrap provides at least 30% of a total absorbent capacity of the absorbent structure.
46. The garment of Claim 35, wherein the absorbent core is zoned for greater absorbent capacity within a central portion of the absorbent core and lower absorbent capacity within end regions of the absorbent core.
47. The garment of Claim 35, wherein the absorbent core is segmented within the absorbent wrap.
48. The garment of Claim 35, wherein the absorbent structure is embossed.

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EVIDENCE APPENDIX

Applicants are not submitting any extraneous evidence with this Appeal Brief.

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RELATED PROCEEDINGS APPENDIX

Applicants are not aware of any related appeals or interferences with regard to the present application.